

Notice of Allowability

Application No.

10/674,587

Applicant(s)

BOBROWSKI, PAUL J.

Examiner

Art Unit

S. B. McCormick-Ewoldt

1661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 20, 2006.
2. ☒ The allowed claim(s) is/are 1,2,4-10 and 20-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Examiner's Amendment

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Examiner's Amendment Authorized

Authorization for this Examiner's amendment was given in a telephone interview with Michael Campillo on December 15, 2006.

Amendment to the Claims

The claims has been amended as follows:

Claim 3 and 11-19 have been cancelled without prejudice.

Claim 1 has been amended to read:

- 1. A method of extracting lipophilic components from *Croton lechleri* comprising;
combining plant material from *Croton lechleri* with an organic solvent;
agitating the combination;
settling the combination into distinct phases to resolve a layer substantially
comprised of hydrophilic constituents and an organic layer substantially comprised of the
lipophilic constituents;
separating the organic layer from the layer substantially comprised of hydrophilic
constituents; and
evaporating the organic solvent from the organic layer to resolve the lipophilic
constituents. --

Claim 20 has been amended to read:

- 20. A method for making an extract from *Croton lechleri*;
combining plant material from *Croton lechleri* with an organic solvent;

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agitating the combination;
settling the combination into distinct phases to resolve a layer predominantly comprised of hydrophilic constituents and an organic layer predominantly comprised of the lipophilic constituents;
separating the organic layer from the layer predominantly comprised of hydrophilic constituents; and
evaporating the organic solvent from the organic layer to resolve the lipophilic constituents. --

Claim 28 has been amended to read:

-- 28. An extract from *Croton lechleri* made by the process of claim 22 wherein, UV absorbency of the extract between a range of 390 nm and 430 nm is reduced by at least one-half relative to the absorbency for unextracted plant material within said range. --

Claim 29 has been amended to read:

-- 29. An extract as in claim 28 wherein, the UV absorbency of the extract between a range of 390 nm and 430 nm is about 0.010 Abs Units relative to about 0.030 Abs Units for unextracted plant material within said range. --

Correspondence

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Susan B. McCormick-Ewoldt whose telephone number is (571) 272-0981. The Examiner can normally be reached Monday through Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiners' supervisor, Anne Marie Grunberg, can be reached at (571) 272-0975. The official fax number for the group is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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CHRISTOPHER R. TATE
PRIMARY EXAMINER